

**CE EQUIVALENT ACTIVITY
PETITION INFORMATION**

RE 332 (Rev. 3/97)

GENERAL INFORMATION

Business and Professions Code §10170.4 among other things authorizes the Commissioner to grant continuing education (CE) "equivalent activity" credit under a written petition process. In addition to attendance at courses not approved by the Commissioner, such "activity" may include, but is not limited to, instruction in real estate subjects, publication of professional articles or books, or development of real estate education programs, laws or research. Specific information regarding the requirement of the various types of "petitions" are included in the Commissioner's Regulations (see pages 2 and 3).

WHAT IS REQUIRED?***Written Petition***

In addition to the specific items listed in the Regulations, a written petition is required (a letter is acceptable). The written petition must include your name, real estate license ID number and expiration date, address and telephone number, and must be signed and dated under a penalty of perjury statement.

Example:

I, _____, declare under penalty of perjury that the foregoing is true and correct. Signed in the City of _____, State of _____, this _____ day of _____, ____.

Do not send original materials (text, workbooks, etc.) as they cannot be returned. Send copies only.

Additional Requirement for §3011.4

The following information is required in addition to the items listed in §3011.4:

- Written evidence from the offering entity stating that the petitioner successfully completed a supervised final exam for the offering;
- A copy of a grade report/transcript;
- Written certification from the offering entity that states the petitioner met continuing education regulation requirements for attendance (*physically present during the offering*);
- Specific *beginning* and *ending* dates for each activity being claimed must be included with each petition

Do not send original materials as they cannot be returned. Send copies of the text/workbook cover, publication date and table of contents with page references only.

Fee

A \$60 processing fee is required (see Regulation 3009).

A single petition may request credit for more than one activity, however, if a subsequent petition is submitted at a later date, a separate \$60 processing fee and written petition will be required.

Restrictions

Activity for which credit is being requested must have been within the four-year period immediately preceding the effective date your license is renewed, which would not necessarily be the expiration date of the license, as in the case of a late renewal.

Mailing Address

Petitions should be sent to:

Department of Real Estate
Education Section
P.O. Box 187000
Sacramento, CA 95818-7000

INSTRUCTOR INFORMATION***CE Course Instructors***

Refer to §3011.1. It is recommended that instructors of DRE approved CE courses be issued course completion certificates by the course sponsor rather than submitting a CE equivalent activity petition and fee. Instructors must have taught or participated during the entire course presentation in order to receive a course completion certificate. Course credit for CE instructors may only be granted once during each two-year term of the course approval.

Pre-License Course Instructors

Refer to §3011.1. Instructors of pre-license (college-level) courses may petition for CE credit for each different pre-license course taught, i.e., real estate principles, real estate practice, etc. Equivalency CE credit may only be received once for each pre-license course taught during each four-year license term of an individual.

Notice of Appeal Process

The Department of Real Estate has established time periods for the processing of permit applicants as required by the Permit Reform Act (Government Code Section 15374 et seq.). These time periods are set forth in the regulations of the Department of Real Estate at Regulation 2709, Chapter 6, of

Title 10, of the California Code of Regulations. Failure to comply with these time periods may be appealed to the Secretary of the Business, Transportation, and Housing Agency, 801 K Street, Suite 1918, Sacramento CA 95814-3520, pursuant to the regulations of the Secretary set forth in Chapter 6 (commencing with Section 7600) of Title 21 of the California Code of Regulations. Under certain circumstances, the Secretary may require the Department of Real Estate to reimburse the applicant for the filing fees paid in connection with the application.

EQUIVALENT ACTIVITIES REGULATIONS

3011. Equivalent Activities Criteria.

- (a) The primary consideration in determining whether a specific activity qualifies as an acceptable alternative to attendance at approved continuing education offerings is that it must include either presentation, development, authorship or research of information and materials designed to contribute directly to assuring that licensees maintain a reasonable currency of knowledge as a basis for a level of real estate practice as set forth in Business and Professions Code Section 10170.4.
- (b) Equivalent activities may include but not be limited to:
 - (1) Attendance at courses not approved by the Commissioner.
 - (2) Instructing others in approved continuing education for real estate license renewal.
 - (3) Instruction or presentation of real estate related topics if the petitioner can demonstrate that the material conveyed contained reasonably current information designed to assist real estate licensees in providing a high level of consumer protection or service.
 - (4) Authorship of published professional articles, periodicals or books on current real estate procedures and law.
- (c) Activities engaged in during the course of a licensee's normal occupation shall not be acceptable for a claim of equivalency unless such activities comply with subsections (a) and (b).
- (d) Development of real estate education programs shall be given continuing education credit if the program would otherwise meet the requirements necessary for approval for continuing education credit.
 - (1) Sole authorship or development of a real estate educational program shall be credited upon an approved petition, with two hours continuing education credit for each hour of the program entitled to continuing education credit.
 - (2) Multiple authorship and development of a real estate educational program shall be credited, upon approval of a petition, based on the percentage each author or developer contributed to the total offering.

3011.1. Petitions for Equivalency for Course Instruction.

- (a) For instruction of real estate related courses not approved for continuing education, submit a statement under penalty of perjury which includes at least the following information:
 - (1) The petitioner's qualifications to teach the course.
 - (2) The title of the course.
 - (3) The date and location the instruction took place.
 - (4) Clock hours of instruction.
 - (5) Titles and description of instruction materials used including the date of publication, and an outline or syllabus of the course.
 - (6) Any other information useful in determining that the course will contribute to current knowledge as set forth in Business and Professions Code Section 10170.4(f).
 - (7) A statement by the course sponsor or school that the petitioner taught the course.
- (b) Instructors of approved continuing education courses may receive a certificate of completion for the number of hours actually spent in instruction at one presentation of the course. No examination shall be taken to qualify for such certificates of completion, but instructors may receive continuing education credits only for those courses for which they are on file as the approved instructor.

3011.2. Petitions for Equivalency for Authorship of Articles or Books.

- (a) Submit a copy of the published article or book.
- (b) Submit a statement signed under penalty of perjury which includes at least:
 - (1) The date of publication of the article or book.
 - (2) An explanation of how the material published meets the criteria of Section 3011.

3011.3. Petitions for Equivalency for Development of Real Estate Programs, Laws, and Research.

- (a) If the claim for continuing education credit is based upon development of education programs, submit a statement under penalty of perjury including at least the following information:
 - (1) A clear and complete description of the education program.
 - (2) A description of the role of the petitioner in developing the program.
 - (3) The number of hours the petitioner devoted to development of the program.

- (4) The period during which the program was developed.
- (5) An explanation of how the development of the program meets the standard of Section 3011.
- (b) If the claim involves development of real estate law or research, submit a statement under penalty of perjury that includes at least:
 - (1) A detailed description of the law affected or the research performed.
 - (2) The number of hours devoted to the research or development of law.
 - (3) An explanation of how the petitioner's participation meets the standard set forth in Section 3011.
 - (4) A copy of the research report or of the law developed shall be attached to the petition, if the report or law exists. If research support data is not available, the Commissioner may request whatever additional information is needed to support the claim.

3011.4. *Petitions for Equivalency for Attendance at Unapproved Programs.*

- (a) The Commissioner, when acting upon a petition for continuing education credit for attending a course that is not approved, shall apply the criteria set forth in Section 3006.
 - (b) The applicant shall submit a petition under penalty of perjury including at least the following information:
 - (1) The name, address, and telephone number of the course sponsor or school.
 - (2) The title of the course.
 - (3) The title, publisher, and date of publication of any text or course material used.
 - (4) The number of clock hours attended.
 - (5) Any outline or syllabus.
 - (6) A final grade report for the final examination or evaluation.
 - (7) For correspondence courses, a list of reading assignments with page references.
-